

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 22-46936

NATHANIEL PRESTON GEE, JR., *pro se*,

Chapter 7

Debtor.

Judge Thomas J. Tucker

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ORDER DISMISSING CASE

On September 2, 2022, a voluntary petition for relief under Chapter 7 was filed in this case, purportedly on behalf of the Debtor, Nathaniel Preston Gee, Jr.¹ But the petition was not signed by the Debtor. Rather, the petition was signed only by “Nathaniel Preston Gee El, Beneficiary/Ex.”² The Court cannot tell what this signature is intended to mean or signify, but it is not the signature of the person named in the petition as the Debtor — *i.e.*, “Nathaniel Preston Gee, Jr.”³

It is not clear, for example, whether this signature was meant to be the signature of some person other than the Debtor, acting as the Debtor’s attorney-in-fact under a power of attorney. But even if that was the intention, the signature on the petition does not actually identify the signer as an attorney-in-fact for the named Debtor.

Moreover, to date, there is no document filed in this case that shows that the named Debtor ever executed a valid power of attorney appointing anyone as his attorney-in-fact. The only power of attorney document in the record was filed on September 14, 2022, at Docket # 15.

¹ Docket # 1.

² *See id.* at pdf p. 7.

³ *See id.* at pdf p. 1, line 1.

That document is entitled “Durable Power of Attorney” (Docket # 15, the “Document”). On the first page of the Document, it purports to appoint “Brother N. Gee EL,” as attorney-in-fact for “Nathaniel Preston Gee, Ex.” But on the sixth page of the Document, it purports to appoint an attorney-in-fact for a “Beneficiary” named “Nathaniel Gee EL.” However, the Debtor’s name is “Nathaniel Preston Gee, Jr.,” not “Nathaniel Preston Gee, Ex” and not “Nathaniel Gee, EL.” And the printed name of the “Beneficiary,” to the left of the signature on the sixth page, is different from the signed name. The printed name is “Nathaniel L Preston Gee, Ex.,” not the signed name “Nathaniel Gee EL,” and not the Debtor’s name, “Nathaniel Preston Gee, Jr.” So on its face, the Document does not show that the named Debtor in this bankruptcy case appointed anyone as his attorney-in-fact.

Because the bankruptcy petition was not signed by the named Debtor, the petition is a nullity, and this case must be dismissed.

Accordingly,

IT IS ORDERED that this bankruptcy case is dismissed.

Signed on September 19, 2022



/s/ Thomas J. Tucker

Thomas J. Tucker
United States Bankruptcy Judge